THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 20652 of 2007

01-10-2007

Between:

M/s. Shantinivas Apartments Owners'
Association, a society registered under the
provisions of the A.P. Societies Registration Act, 2001,
rep., by its Secretary –K. Chandrasekhar, Secunderabad.

Petitioner

And

Greater Hyderabad Municipal Corporation,
Rep., by its Special Officer, Hyderabad and two others.

Respondents.

THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 20652 of 2007

Oral Order:

Heard Sri P. Venugopal, learned counsel for the petitioner and Smt. Kalpana Ekbote, learned standing counsel for respondent Nos. 1 to 3.

The petitioner –Association alleges that the staff of the respondents have made certain marks on the apartment complex in premises bearing No. 12-7-295,

Shanthinivas Apartments, Mettuguda, Tarnaka Road, Secunderabad threatening demolition of the part of the complex for the purpose of road widening and without initiating any acquisition proceedings. Apprehending forcible dispossession and demolition without following the due process of law, the writ petition is filed.

Smt. Kalpana Ekbote, the learned counsel for the respondents on instructions states that the respondents cannot and will not either dispossess the members of the petitioner-Association or demolish any part of the complex without following the due process of law viz., either negotiations with the owners of the flats/premises for handing over part of the property for road widening or if there is no consent forthcoming, initiate process for acquisition of the property under the appropriate provisions of law.

In the light of the above assertion and undertaking by the learned counsel for the respondents, no further proceedings are warranted. Recording the submission and undertaking on behalf of the respondents by the learned standing counsel for respondents, the writ petition is disposed of. No costs.

_____

GODA RAGHURAM, J

Dated: 01-10-2007
pvks

Nb: Furnish c.c. in two days.
B/o pvks